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LEGISLATIVE HISTORY

Public Law 87-446
H. R. 11027

TABLE OF CONTENTS

| | |
|--|---|
| Index and summary of H. R. 11027 | 1 |
| Digest of Public Law 87-446 | 2 |

INDEX AND SUMMARY OF H. R. 11027

| | |
|---------------|---|
| Mar. 29, 1962 | Rep. Smith (Miss.) introduced H. R. 11027 which was referred to the House Agriculture Committee. Print of bill as introduced. |
| Apr. 3, 1962 | House committee voted to report (but did not actually report) H. R. 11027. |
| Apr. 4, 1962 | House committee reported H. R. 11027 without amendment. H. Report No. 1552. Print of bill and report. |
| Apr. 5, 1962 | House passed H. R. 11027 without amendment. H. R. 11027 was referred to the Senate Agriculture and Forestry Committee. |
| Apr. 10, 1962 | Senate committee reported H. R. 11027 without amendment. S. Report No. 1327. Print of bill and report. |
| Apr. 16, 1962 | Senate made H. R. 11027 its unfinished business. |
| Apr. 17, 1962 | Senate passed H. R. 11027 without amendment. |
| Apr. 27, 1962 | Approved: Public Law 87-446. |

DIGEST OF PUBLIC LAW 87-446

COTTON ALLOTMENT TRANSFERS IN DISASTER AREAS. Amends the Agricultural Adjustment Act of 1938, as amended, so as to provide that in counties where 1962 farm cotton acreage allotments cannot be timely planted or replanted because of a natural disaster, the Secretary of Agriculture may authorize all or a part of the farm acreage allotment to be transferred to another farm in the same county or in an adjoining county for the planting of cotton in 1962.

87TH CONGRESS
2^D SESSION

H. R. 11027

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1962

Mr. SMITH of Mississippi introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 344 (n) of the Agricultural Adjustment Act
4 of 1938, as amended, is amended (1) by striking out the
5 figures "1961" where they first appear therein and inserting
6 the figures "1962".

I

87TH CONGRESS
2^D SESSION

H. R. 11027

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended.

By Mr. SMITH of Mississippi

MARCH 29, 1962

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued April 4, 1962
For actions of April 3, 1962
87th-2d, No. 51

CONTENTS

| | | |
|----------------------------|---------------------------|----------------------------|
| Acreage allotments....1,29 | Extension service.....22 | Loans.....28 |
| Alaska highway.....33 | Farm program.....223 | Peace Corps.....3 |
| Appropriations.....2,13,34 | Feed grains.....9 | Perishable commodities..30 |
| Buildings.....5 | Foreign trade....12,21,35 | Personnel.....24,31 |
| Conservation.....19 | Golden Eagle.....16 | Potatoes.....29 |
| Corn.....18 | Interest rates.....11 | Public lands.....10 |
| Cotton.....1 | Irrigation.....4,32 | Public works.....6 |
| Economic report.....25 | Lands.....10 | Reclamation.....4,32 |
| | | Recreation.....20 |
| | | Sugar.....8 |
| | | Taxation.....7,15 |
| | | Transportation.....27 |
| | | Water pollution.....14 |
| | | Wheat.....17 |
| | | Youth conservation.....26 |

HIGHLIGHTS: Sen. Tower urged early consideration of sugar legislation. Sen. Williams, Del., criticized USDA for failure to furnish information on feed grain payments.

HOUSE

1. COTTON. The Agriculture Committee voted to report (but did not actually report) H. R. 11027, to amend the Agricultural Adjustment Act of 1938 so as to extend to the 1962 crop the authority for transfer of cotton acreage allotments. p. D242
2. APPROPRIATIONS. The Appropriations Committee was granted until midnight Fri. to file a report on the legislative appropriation bill for 1963. p. 5368
3. PEACE CORPS. By a vote of 316 to 70, passed without amendment H. R. 10700, to increase the authorization for the Peace Corps from \$40,000,000 to \$63,750,000. pp. 5372-89
4. IRRIGATION. Received from Interior a proposed bill "to approve an amendatory repayment contract negotiated with the Quincy Columbia Basin Irrigation District, authorize similar contracts with any of the Columbia Basin irrigation districts, and to amend the Columbia Basin Project Act of 1943 (57 Stat. 14), as amended"; to Interior and Insular Affairs Committee. pp. 5399-400

5. BUILDINGS. Received from GSA a proposed bill "to repeal subsection (a) of section 8 of the Public Buildings Act of 1959, limiting the area in the District of Columbia within which sites for public buildings may be acquired"; to Public Works Committee. p. 5400
6. PUBLIC WORKS. The "Daily Digest" states that the Judiciary Committee tabled H. J. Res. 464, providing for the designation of the week commencing October 1, 1961, as "National Public Works Week." p. D242
7. TAXATION. Rep. Derounian criticized H. R. 10650, the proposed Revenue Act of 1962. pp. 5392-3

SENATE

8. SUGAR. Sen. Tower urged early consideration of legislation to extend the Sugar Act which expires June 30, 1962, expressed dissatisfaction with preliminary drafts of the "administration's program," and commended a sugar industry proposal to extend the program for five years and provide for increased domestic acreage allotments. pp. 5308-9
Received an Ariz. Legislature resolution urging increased quotas for production of sugar in that State. p. 5293
9. FEED GRAINS. Sen. Williams, Del., criticized this Department for the delay in furnishing him with information he has requested on payments in excess of \$10,000 under the feed grains program and inserted correspondence with the Department on this matter. p. 5325
10. PUBLIC LANDS. Sen. Williams, Del., inserted a tabulation from the Department of the Interior on revenues collected by that Department on Government-owned lands and the amounts of such revenues that were paid or allocated back to the States for fiscal year 1960. pp. 5323-4
11. INTEREST RATES. Sen. Proxmire urged the Federal Reserve Board to take steps to reduce the level of interest rates as a means of stimulating economic growth. pp. 5326-7
12. FOREIGN TRADE. Sens. Bush and Capehart inserted several items discussing the pros and cons of modification of our foreign trade program. pp. 5301-7, 5310-1
13. APPROPRIATIONS. Received from the President supplemental appropriation estimates for the executive branch for fiscal years 1961 and 1962 (S. Doc. 83); to Appropriations Committee. p. 5292

ITEMS IN APPENDIX

14. WATER POLLUTION. Extension of remarks of Rep. Westland criticizing "the Federal Government intervening in the pollution problems of my State of Washington," and inserting a letter from a constituent discussing the problem. p. A2522
15. TAXATION. Various insertions were made by a number of Representatives discussing H. R. 10650, the proposed Revenue Act of 1962. pp. A2523, A2525-6, A2526, A2528-9, A2581
16. GOLDEN EAGLE. Extension of remarks of Sen. Keating inserting an article, "A Victim of the Bounty Hunter Is the Golden Eagle: King of the Bird World." pp. A2526-8

Prior to this action, in open session, committee received testimony in connection with proposed legislation on the International Monetary Fund from Dr. Elgin P. Groseclose, economic consultant, Citizens Foreign Aid Committee, Washington, D.C. Committee also received testimony from Mr. Woodward in behalf of his own nomination.

INVESTIGATION—MISSILE INDUSTRY

Committee on Government Operations: The Permanent Subcommittee on Investigations began a series of hearings on the subject of the pyramiding of profits and costs in the missile procurement program, having as its witnesses Jeffrey Adams, a civil engineer, Redstone Arsenal, Huntsville, Ala.; Robert E. Dunn, a member of the subcommittee's staff; and Milton Karr, Consolidated Western States Division, U.S. Steel.

Hearings continue tomorrow.

INDIANS

Committee on Interior and Insular Affairs: Subcommittee on Indian Affairs concluded hearings on S. 2899, relating to the Indian heirship land problem, after receiving testimony from numerous Indians and representatives of several Indian organizations.

Committee also heard several public witnesses in connection with S. 1925, providing that certain lands be held in trust for the Assiniboine and the Sioux Tribes of the Fort Peck Reservation in Montana, and S. 2183, donating to certain Indian tribes some submarginal lands of the U.S.

PACKAGING AND LABELING

Committee on the Judiciary: The Antitrust and Monopoly Subcommittee concluded its series of hearings on packaging and labeling practices, after receiving testimony from George P. Larrick, Commissioner, Food and Drug Administration, Department of Health, Education, and Welfare; and Eugene Foley, Director, Business and Defense Services Administration, Department of Commerce.

POSTAL RATES

Committee on Post Office and Civil Service: Committee resumed its hearings on H.R. 7927, proposed Postal Revision Act of 1962, receiving testimony from John K. Herbert, president, Magazine Publishers Association, Inc., who was accompanied by others.

Hearings continue on Tuesday, April 10.

POSTAL AFFAIRS

Committee on Post Office and Civil Service: Subcommittee on Postal Affairs, in executive session, ordered favorably reported to the full committee H.R. 7532, relative to funds received by the Post Office Department from payments for damage to personal property; and H.R. 7559, relating to additional writing or printing on third- and fourth-class mail.

Subcommittee ordered reported to the full committee without recommendation H.R. 4975, to permit second-class mailing of publications of elementary and secondary institutions of learning; H.R. 2587, to extend postage rates on library materials to films under 16 millimeters in size and film catalogs thereof; and S. 76, extending second-class mailing privileges to bulletins of State industrial development agencies.

House of Representatives

Chamber Action

Bills Introduced: 14 public bills, H.R. 11062-11075; 8 private bills, H.R. 11076-11083; and 3 resolutions, H.J. Res. 682 and 683, and H. Con. Res. 458, were introduced.

Page 5400

Legislative Appropriations: The Committee on Appropriations was granted permission to file by midnight Friday a report on the bill making appropriations for the legislative branch for the fiscal year 1963.

Page 5368

Private Calendar: Passed the following bills on the call of the Private Calendar:

Cleared for the President: S. 193, 899, 1305, 1520, 1578, 1638, 1841, 1874, 1934, 2018, and 2101.

Sent to the Senate without amendment: H.R. 1533, 1650, 1700, 3005, 3825, 6344, and 9445.

Sent to the Senate, amended: S. 971, H.R. 1372, 1651, 5689, 7876, 9285, and 10242.

Passed over without prejudice: H.R. 1401, 5061, 7332, and 8946.

Pursuant to a unanimous-consent request further call of the Private Calendar was dispensed with after calling item No. 516.

Pages 5368-5372

Peace Corps: By a record vote of 316 yeas to 70 nays the House passed H.R. 10700, to amend the Peace Corps Act. The bill authorizes the appropriation of \$63,750,000 for carrying out the program of the Peace Corps as recommended by the President for fiscal year 1963.

H. Res. 579, the open rule under which the legislation was considered, had been adopted earlier by a voice vote.

Pages 5372-5389

Quorum Call and Record Vote: During the proceedings of the House today one quorum call and one record vote developed and they appear on pages 5372 and 5388-5389.

Program for Wednesday: Adjourned at 3:24 p.m. until Wednesday, April 4, at 12 o'clock noon, when the House and Senate will meet jointly to hear an address by the President of the Republic of Brazil, after which the House will consider H.R. 11038, making supplemental appropriations for fiscal year 1962, and H.R. 4441, to provide an ex gratia payment to the city of New York to help defray expenses of the 15th General Assembly of the United Nations (1 hour of debate).

Committee Meetings

AGRICULTURAL ADJUSTMENT ACT—FARM BILL

Committee on Agriculture: Met in executive session and ordered favorably reported to the House H.R. 11027, to amend the Agricultural Adjustment Act of 1938.

Also considered H.R. 10010, the general farm bill.

MILITARY CONSTRUCTION

Committee on Armed Services: Held hearings on title VII (re family housing), of H.R. 10202, to authorize certain construction at military installations, and heard testimony from Department of Defense officials; and a public witness. Hearings continue Wednesday, April 4.

ALCOHOLIC BEVERAGE CONTROL ACT—D.C.

Committee on the District of Columbia: Subcommittee No. 4 continued hearings on H.R. 9808, to revise the D.C. Alcoholic Beverage Control Act. Testimony was given by the Chairman, Alcoholic Beverage Control Board. The subcommittee adjourned subject to call of the Chair.

SCHOOL INTEGRATION

Committee on Education and Labor: Subcommittee on Integration in Federally Assisted Education resumed a study of desegregation of schools. Testimony was given by Representative Jackson; Department of Agriculture officials; and public witnesses. A statement was submitted for the record by Representative Zelenko.

Hearings continue Thursday, April 5.

FOREIGN AID

Committee on Foreign Affairs: Continued executive consideration of the Federal Assistance Act of 1962, and heard testimony from W. Averell Harriman, Assistant Secretary of State for Far Eastern Affairs; and Seymour J. Janow, Assistant Administrator, Bureau for Far Eastern Affairs, Agency for International Development. The committee will continue on this subject, in executive session, Wednesday, April 4.

SURPLUS PROPERTY

Committee on Government Operations: Special Subcommittee on Donable Property held a hearing on evaluation of the Federal surplus property disposal program. Heard testimony from Bernard L. Boutin, Administrator, General Services Administration; Ivan A. Nestingen, Under Secretary of Health, Education, and Welfare; other departmental witnesses; and various public witnesses. Hearings adjourned subject to call of the Chair.

PUBLIC LANDS

Committee on Interior and Insular Affairs: Subcommittee on Public Lands held a hearing on H.R. 7788, and related bills, to authorize the classification and disposal of public lands for urban and business purposes. Heard testimony from Representative Saund. Hearings continue Wednesday, April 4.

COMMERCE—FINANCE

Committee on Interstate and Foreign Commerce: Subcommittee on Commerce and Finance met in executive session on pending legislation. No announcements were made. The subcommittee recessed until Wednesday, April 4.

JUDICIAL MISCELLANY

Committee on the Judiciary: Met in executive session and ordered reported favorably to the House the following bills:

H.R. 8845 (amended), to amend chapter 73 of title 18, U.S. Code, with respect to obstruction of investigations and inquiries;

H.R. 10204, to amend section 47 of the Bankruptcy Act;

H.R. 4856, to amend sections 334, 367, and 369 of the Bankruptcy Act; and

H.R. 5149, to give the court authority on its own motion to reexamine attorney fees paid or to be paid in a bankruptcy proceeding.

The committee tabled H.J. Res. 464, to provide for the designation of the week commencing October 1, 1961, as National Public Works Week; S. Con. Res. 65, and related measures, to designate the week of May 20-26, 1962, as National Highway Week; H.J. Res. 224, to provide for the establishment of a Civil War Centennial Commission; H.J. Res. 344, and related measures, to authorize the President to proclaim September 17 of each year General von Steuben Memorial Day for the observance and the commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; H.J. Res. 354, designating the first Sunday of October in every year as National Choir Recognition Day; H.J. Res. 526, to provide for a National Mothers of Multiple Births Day; H.J. Res. 564, and related measures, to authorize the President to proclaim the month of May 1962 as National Clean Up—Paint Up—Fix Up Month; H. Res.

Digest of CONGRESSIONAL PROCEEDINGS

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OFFICE OF
BUDGET AND FINANCE

(For information only;
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CONTENTS

| | | |
|----------------------------|------------------------------------|----------------------|
| Agricultural imports.....1 | Foreign trade.....19,25 | Personnel.....6,37 |
| Appropriations.....8 | Forestry.....2 | Public Law 480.....7 |
| Conservation.....21 | Forests.....22 | Public works.....20 |
| Cotton.....9 | Intergovernmental relations.....12 | Reclamation.....14 |
| Electrification.....4,24 | Lands.....21,22 | Recreation.....2,23 |
| Expenditures.....16 | Milk.....15 | Taxation.....18 |
| Farm program.....3,17 | Minerals.....10 | Textiles.....1,13 |
| Foreign aid.....26 | Pay.....6 | Transportation.....5 |
| Foreign currencies.....7 | | Watersheds.....11 |

HIGHLIGHTS: House passed supplemental appropriation bill. Senate committee reported bill for agricultural import restrictions on nonparticipating countries in multilateral trade agreements. Sen. Anderson and others introduced and Sen. Anderson discussed bills to establish outdoor recreation facilities program and land conservation fund.

SENATE

1. AGRICULTURAL IMPORTS. The Agriculture and Forestry Committee reported without amendment S. 3006, to amend Sec. 204 of the Agricultural Act of 1956 so as to authorize the President to regulate imports of agricultural commodities, including textiles and textile products, from nonparticipating countries of multilateral trade agreements (S. Rept. 1324) (p. 5402). The committee had voted to report the bill earlier (p. D245).
2. FORESTRY; RECREATION. Both Houses received from the President a proposed bill to provide for the establishment of a land conservation fund from proceeds from recreation user charges on public lands, sales of surplus Federal lands, use of recreational equipment on public lands, etc., for use in accelerating Federal acquisition of lands for park, recreation, forest, and certain fish and wildlife purposes, including additional lands around Federal reservoir projects; to S. and H. Interior and Insular Affairs Committees. pp. 5402, 5502
Both Houses received from the Secretary of the Interior a proposed bill to promote the coordination and development of effective Federal and State programs

relating to outdoor recreation, and to provide financial assistance to the States for outdoor recreation planning, through the Bureau of Outdoor Recreation of the Department of the Interior; to S. and H. Interior and Insular Affairs Committees. pp. 5402, 5502

3. FARM PROGRAM. Sen. Mansfield stated that Montana "is confronted with several unusual situations which are making it extremely difficult at this time to accept, without reservation, a farm program designed to meet national needs," and inserted a letter from a Mont. farmer discussing farm problems. pp. 5415-6
4. ELECTRIFICATION. Sen. Moss inserted Assistant Secretary of Interior Holum's address before the recent Wisc. Electric Cooperative meeting at Madison, Wisc., discussing the Administration's electric power program. pp. 5417-9
5. TRANSPORTATION. Sen. Gruening protested "the great burden borne by all Alaskans because of excessively high steamship rates." p. 5439
6. PERSONNEL; PAY. Received the report of the Joint Committee on Reduction of Non-essential Federal Expenditures on Federal employment and pay for Feb. 1962. pp. 5402-7
7. FOREIGN CURRENCIES. Sen. Humphrey commended the agreement by the U. S. and Poland for the use of foreign currencies from the sale of surplus agricultural commodities under Public Law 480 to support cooperative medical research and medical information projects in Poland, and urged greater use of foreign currencies for this purpose. pp. 5449-50

HOUSE

8. APPROPRIATIONS. Passed with amendment H. R. 11038, the second supplemental appropriation bill for 1962 (pp. 5457-79). See Digest 50 for items of interest. Rejected the following amendments:
 - By Rep. Andersen, Minn., 46 to 66, to delete \$2,500,000 for ARS for screw-worm eradication. p. 5467
 - By Rep. Gross, 35 to 98, to reduce by \$7,000,000 the amount for U. S. participation in the New York World's Fair. p. 5468
9. COTTON. The Agriculture Committee reported without amendment H. R. 11027, to amend the Agricultural Adjustment Act of 1938 so as to extend to the 1962 crop the authority to permit operators of farms with flooded-out cotton acreage to transfer cotton acreage allotments to another farm operated by the same farmer in the same or an adjoining county (H. Rept. 1552). p. 5502
10. MINERALS. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 10566, to provide for the withdrawal and orderly disposition of mineral interests in certain public lands in Pima County, Ariz. p. D248
11. WATERSHEDS. Received from the Budget Bureau plans for works of improvement on the following watersheds: San Gabriel River (western area), Calif.; South Fork Blackwater River, Mo.; Indian Wash, Colo.; Mulberry Creek, Tenn.; and Rocky Comfort Creek, Ga.; to Agriculture Committee. p. 5502
Received from the Budget Bureau plans for works of improvement on the following watersheds: North Branch of Forest River (supplemental), N. Dak., and Florence area, Ariz.; to Public Works Committee. p. 5502

TRANSFER OF FLOODED ACREAGE

APRIL 4, 1962.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 11027]

The Committee on Agriculture, to whom was referred the bill (H.R. 11027) to amend the Agricultural Adjustment Act of 1938, as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

In several areas of the Midsouth, floodwaters are now overrunning cotton land and preventing the planting of cotton. Even when the floodwaters recede, the land in many instances will be unfit for planting for several weeks. Under present provisions of permanent law, even though the farmowner or operator owns another farm in the same county, he cannot transfer any part of his flooded-out cotton allotment to the other farm.

In 1958, when a similar flood situation occurred at about this same time of year, an emergency law applying only to the 1958 cotton crop was enacted permitting operators of farms with flooded-out cotton acreage to transfer all or part of that acreage allotment, with the permission of the county committee, to another farm in the same or an adjoining county operated by the same farmer. In 1961 when a similar flood situation occurred, the 1958 emergency law was changed to make it apply to the one year 1961.

This year flood conditions have already occurred in Kentucky and Tennessee and are expected to occur in Missouri, Mississippi, and other Southern States. This bill would change the date on the act to permit farmers in areas flooded in 1962 to take the same kind of action which has proved helpful in similar circumstances in the 2 previous years.

DEPARTMENTAL POSITION

There was not sufficient time to obtain a formal report from the Department of Agriculture on this bill, but officials of the Department appeared before the committee in 1958 and 1961 and stated that they had no objection to its enactment.

COST

It is not anticipated that there will be any additional cost to the Government as the result of this legislation.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

SEC. 344 * * *

(n) Notwithstanding any other provision of this Act, if the Secretary determines that because of a natural disaster a substantial portion of the [1961] 1962 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Any farm allotment transferred under this paragraph shall be deemed to be released acreage for purposes of acreage history credits under sections 344(f)(8), 344(m)(2), and 377 of this Act.



Union Calendar No. 649

87TH CONGRESS
2^D SESSION

H. R. 11027

[Report No. 1552]

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1962

Mr. SMITH of Mississippi introduced the following bill; which was referred
to the Committee on Agriculture

APRIL 4, 1962

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 344 (n) of the Agricultural Adjustment Act
4 of 1938, as amended, is amended (1) by striking out the
5 figures "1961" where they first appear therein and inserting
6 the figures "1962".

87TH CONGRESS
2^D Session

H. R. 11027

[Report No. 1552]

A BILL

To amend the Agricultural Adjustment Act of
1938, as amended.

By Mr. SMITH of Mississippi

MARCH 29, 1962

Referred to the Committee on Agriculture

APRIL 4, 1962

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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CONTENTS

| | | |
|----------------------------|----------------------------|------------------------|
| Acreage allotments.....3 | Cotton.....3 | Milk.....23 |
| Adjournment.....8,17 | Farm program.....1,31 | Peace Corps.....15,18 |
| Appropriations..7,13,16,22 | Flood insurance.....5 | Personnel.....10 |
| ASC committees.....10,19 | Foreign trade.....2,7,25 | Purchasing.....4 |
| Budget.....24 | Forestry.....11,28 | River basin.....16 |
| Buildings.....30 | Grain.....20 | Small business.....26 |
| Bulk commodities.....9 | Imports.....7,29 | Taxation.....27 |
| Civil defense.....14 | Lands.....21,28 | Textiles.....2 |
| Claims.....13 | Legislative program.....7 | Transportation.....6,9 |
| Contracts.....4 | Manpower development....16 | Watersheds.....12 |

HIGHLIGHTS: House committee approved wheat section of farm bill. Both Houses re-
ceived President's transportation message. House Rules Committee cleared bill for
agricultural import restrictions on nonparticipating countries in multilateral trade
agreements. Sen. Williams, Del., criticized ASC committee meeting in Washington.

HOUSE

- FARM PROGRAM.** The "Daily Digest" states that the Agriculture Committee "Met in
executive session and approved the wheat section (amended) of H. R. 10010, the
general farm bill." p. D245
- FOREIGN TRADE.** The Rules Committee reported a resolution for the consideration
of H. R. 10788, to amend section 204 of the Agricultural Act of 1956 to author-
ize the President to regulate imports of agricultural commodities, including
textiles and textile products, from agreements. p. 5550
Passed as reported H. R. 6682, to provide for the exemption of fowling nets
from duty. pp. 5506-7
Rep. Derounian inserted a statement by the Man-Made Fiber Producers Associa-
tion, Inc. in opposition to H. R. 9900, the proposed Trade Expansion Act of
1962. pp. 5542-9

3. COTTON. Passed without amendment H. R. 11027, to amend the Agricultural Adjustment Act of 1938 so as to extend to the 1962 crop the authority to permit operators of farms with flooded-out cotton acreage to transfer cotton acreage allotments to another farm operated by the same farmer in the same or an adjoining county. p. 5508
4. PURCHASING. The Education and Labor Committee reported without amendment H. R. 10786, to establish standards for hours of work and overtime pay of laborers and mechanics employed on work done under contract for, or with the financial aid of, the U. S. for any territory (H. Rept. 1553), and H. R. 10946, to amend the Davis-Bacon Act to define the term "wages" as used in the Act (H. Rept. 1554). p. 5550
5. FLOOD INSURANCE. Rep. Wallhauser inserted a resolution from the New Jersey legislature memorializing Congress to enact legislation to implement the Federal Flood Insurance Act of 1956. p. 5534
6. TRANSPORTATION. Rep. Harris discussed the President's transportation message, and inserted a statement regarding the 75th anniversary of the ICC. pp. 5515-6
Rep. Van Zandt discussed the transportation message, saying, "Although some of us may disagree as to detail, we would all agree ... with the central thesis of the President's message." pp. 5533-4
7. LEGISLATIVE PROGRAM. Rep. Albert announced that H. R. 10788, to amend section 204 of the Agriculture Act of 1956 relating to the regulation of agricultural and textile imports will be considered on Tues., Apr. 10, and the legislative appropriation bill for 1963 on Wed., Apr. 11. p. 5532
8. ADJOURNED until Mon., Apr. 9. p. 5550

SENATE

9. TRANSPORTATION. Both Houses received the President's message on transportation in which he recommended removal of the exemption from rate regulation by ICC of the transportation of bulk commodities by water carriers; recommended extension to all carriers (rather than only to motor carriers and freight forwarders) the exemption from minimum rates for the transportation of agricultural and fishery products; proposed legislation to assure all carriers the right to ship vehicles or containers on the carriers of other branches of the transportation industry at the same rates available to noncarrier shippers, to repeal the provision of the Interstate Commerce Act which prevents a railroad from hauling cargo it owns, and to direct the regulatory agencies to sanction experimental freight rates, modifications and variations in existing systems of classification and documentation, and new kinds or combinations of service; stated that he was directing Federal agencies, in meeting their own transport needs, to use authorized commercial facilities in all modes of transportation within the limits of economical and efficient operations; urged that Congress declare as a matter of public policy that through rates and joint rates should be vigorously encouraged and authorize all transportation agencies to participate in joint boards; recommended that all common carriers, including freight forwarders and motor carriers, be required to pay reparations to shippers charged unlawfully high rates; recommended that the civil penalty now imposed on motor carriers for failure to file required reports be substantially increased; stated that he had directed

The Committee on Ways and Means was unanimous in recommending approval of this legislation.

[Mr. WIDNALL addressed the House. His remarks will appear hereafter in the Appendix.]

TARIFF CLASSIFICATION FOR LIGHTWEIGHT BICYCLES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8938) to provide a more definitive tariff classification description for lightweight bicycles.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 371 of the Tariff Act of 1930, as amended, is amended by adding at the end thereof the following:

"For the purposes of this paragraph and any existing or future proclamation of the President relating thereto, only bicycles with frames (not including the wheel forks) consisting of all straight tubing (commercially known as diamond frame bicycles), shall be classified for duty purposes in any tariff classification for 'bicycles having both wheels over twenty-five inches in diameter, if weighing less than thirty-six pounds complete without accessories and not designed for use with tires having a cross-sectional diameter exceeding one and five-eighth inches': *Provided*, That any bicycles which, except for this amendment, would have been classified for duty purposes under the tariff classification described above, shall be classified for duty purposes under such other provision of paragraph 371 of the Tariff Act of 1930, as heretofore or hereafter modified pursuant to any proclamation of the President, which describes such bicycles."

"Sec. 2. (a) For the purposes of section 350 of the Tariff Act of 1930, as amended, the foregoing amendment shall be considered as having been in effect continuously since the original enactment of section 350: *Provided*, That for the purposes of including a continuance of the customs treatment provided for in such amendment in any trade agreement entered into pursuant to section 350 prior to the entry into force of the amendment pursuant to subsection (b), the provisions of section 4 of the Trade Agreements Act, as amended (19 U.S.C. 1354), and of sections 3 and 4 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1360 and 1361), shall not apply.

"(b) The foregoing amendment shall enter into force as soon as practicable, on a date to be specified by the President in a notice to the Secretary of the Treasury, but in any event not later than ninety days after the passage of this Act."

With the following committee amendments:

Page 1, line 4, strike out "amended," and insert "amended by inserting '(a)' after 'Par. 371,' and '."

Page 1, line 5, before "For" insert "b".

Page 1, line 7, after "the" insert "front and rear".

Page 1, strike out line 10 and in line 11 strike out "over twenty-five inches in diameter," and insert: "as 'bicycles with or without tires, having wheels in diameter (measured to the outer circumference of the tires) over twenty-five inches.'"

Page 2, line 4, strike out "amendment," and insert "subparagraph."

Page 2, line 10, strike out the quotation marks.

Page 2, line 22, strike out the quotation marks.

Page 3, strike out "Treasury, but" in line 2 and all of lines 3 and 4 and insert: "Treasury following such negotiations as may be necessary to effect a modification or termination of any international obligation of the United States with which the amendment might conflict, but in any event not later than 180 days after the date of the enactment of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 8938, which was introduced by our colleague, the Honorable Ross BASS, and which was unanimously reported by the Committee on Ways and Means, is to amend paragraph 371, Tariff Act of 1930, as amended and modified, to insure that for the purposes of that paragraph and any existing or future proclamation of the President relating thereto, only bicycles with frames, not including the front and rear wheel forks, consisting of all straight tubing shall be classified for duty purposes under any provision for bicycles with or without tires, having wheels in diameter—measured to the outer circumference of the tires—over 25 inches, if weighing less than 36 pounds complete without accessories and not designed for use with tires having a cross-sectional diameter exceeding 1 $\frac{5}{8}$ inches.

Pursuant to the authority given to him in section 350 of the Tariff Act of 1930, as amended, the President in 1947 proclaimed a modification in duty to reflect a trade agreement concession on certain bicycles provided for in paragraph 371 of the Tariff Act of 1930, as modified. These bicycles were described as follows for the purposes of the trade agreement concession:

Bicycles with or without tires, having wheels in diameter (measured to the outer circumference of the tire):

Over twenty-five inches—

If weighing less than thirty-six pounds complete without accessories and not designed for use with tires having a cross-sectional diameter exceeding one and five-eighths inches.

The committee is convinced that the record made before the Committee for Reciprocity Information, the agency which heard interested parties before the trade agreement negotiations in question were started, shows that this trade agreement concession was intended to cover bicycles which are commonly known as diamond frame bicycles; that is, bicycles with frames, not including the front and rear wheel forks, consisting of all straight tubing.

In 1954, the domestic producers of bicycles introduced a new bicycle style, featuring a curved tubular frame, which they called the middleweight bicycle. This model proved popular with consumers. Its popularity led foreign manufacturers to imitate this style of bicycles on curved tubular frame bicycles found that if they mounted tires normally used on typical lightweight bi-

cycles on curved tubular frame bicycles they could get the benefit of the lower rate of duty applicable under the trade agreement concession to typical lightweight bicycles. The customs authorities decided that the typical lightweight bicycle provision was not, by its own terms, limited to bicycles with straight tubular frames and accordingly, any bicycle meeting the stated specifications as to weight, diameter of wheels, and size of tires was classifiable thereunder, irrespective of the type of frame of the bicycle.

The passage of H.R. 8938 will insure that any provision for typical lightweight bicycles in paragraph 371 of the Tariff Act of 1930, as modified, will be applicable only to such typical bicycles, that is, straight tubular frame bicycles. The bill will consequently result in requiring a reclassification to another appropriate provision of paragraph 371, as modified, of those types of bicycles which are not typical lightweight bicycles, but which, nevertheless, are presently being classified under the provision therefor.

Your committee unanimously recommends the passage of H.R. 8938.

Mr. MASON. Mr. Speaker, this legislation pertains to the tariff classification for lightweight bicycles. During the consideration of this legislation, information was presented to the committee suggesting that bicycles that were in fact not lightweight bicycles were entering the United States under the lightweight classification instead of as medium-weight bicycles. It is the purpose of this legislation to correct that problem.

The Committee on Ways and Means was unanimous in recommending favorable consideration of this legislation to the House.

Mr. BASS of Tennessee. Mr. Speaker, in connection with H.R. 8938, that just passed, may I say that this bill seeks only to insure the application of the original trade agreement intent—1947—that bicycles classified as "lightweights" shall have frames—not including the front and rear wheel forks—of all straight tubing.

The record before the Committee for Reciprocity Information conclusively demonstrates that this was, in fact, the correct and proper intent of the trade agreement negotiators—see House Report No. 1255, 87th Congress, 1st session, at page 2.

Passage of H.R. 8938 will permit all bicycles which were originally intended to come in at the lower lightweight duty rate to continue to come in at that lower rate.

As the practice directly contravenes the 1947 trade agreement intent, curved tubular bicycles of American middleweight design will no longer be permitted entry into the United States at the low lightweight duty rate. This is as it should be and follows from the initial understanding and subsequent statements of all parties, including foreign manufacturers, importers, and domestic producers.

Calling as it does for the application of the original trade agreement intent, this bill is of a distinctly just and equi-

table nature. In these circumstances, a proper lightweight tariff classification should be worked out prior to the negotiations of further general tariff reductions.

SALE PRICE FOR MANUFACTURERS EXCISE TAXES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8952) to amend the Internal Revenue Code of 1954 with respect to the conditions under which the special constructive sale price rule is to apply for purposes of certain manufacturers excise taxes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4216(b)(2) of the Internal Revenue Code (relating to special rule for determining constructive sale price) is amended by adding at the end thereof the following new sentence: "Subparagraph (C) shall not apply in the case of articles taxable under section 4111, section 4121, or section 4141."

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles sold by the manufacturer, producer, or importer on or after January 1, 1959.

With the following committee amendment:

Page 2, line 2, strike out "1959" and insert "1962".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the Excise Tax Technical Changes Act of 1958 provided that in determining the base for the computation of manufacturers excise taxes, a constructive sales price could be used where sales were made to retailers or to consumers if sales were also made at the wholesale level. However, this provision applies only if the normal method of sales within the industry is not to sell articles at retail, to retailers, or to both. This bill provides that this latter restriction will not apply in the case of the manufacturers excise taxes on refrigerators and related items, on electric, gas, and oil appliances, and on radios and television sets and related items.

This bill, therefore, amends section 4216(b)(2) of the code, which contains the special rule for determining constructive sales price, to provide that the provision limiting the application of this rule to those industries where the normal method of sales of the articles is not at retail or to retailers—or a combination of the two—is not to apply in the case of articles taxable under the three sections referred to above; namely, sections 4111, 4121, and 4141.

This bill has been reported unanimously by your committee.

[Mr. BURKE of Massachusetts addressed the House. His remarks will appear hereafter in the Appendix.]

AGRICULTURAL ADJUSTMENT ACT

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11027) to amend the Agricultural Adjustment Act of 1938, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344(n) of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by striking out the figures "1961" where they first appear therein and inserting the figures "1962".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORRECTION OF THE RECORD

Mr. ARENDS. Mr. Speaker, on page 5467, at the bottom of the second column, there was inadvertently omitted the one-paragraph quote I used from the wire service. It is as follows, and I ask unanimous consent that the permanent Record be corrected to include it, following the colon after "reported it".

President Kennedy today delicately suggested to members of the State Agriculture stabilization and conservation committees that although they are prohibited by law from lobbying for specific farm legislation, they should not permit Members of Congress to be "lonesome."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

NATIONAL DRUM CORPS WEEK

(Mr. LANE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANE. Mr. Speaker, I seek approval of House Joint Resolution 654, designating the week of July 15 to July 21, 1962, as "National Drum Corps Week."

With the good weather season, we enjoy the sight and sound of the brilliantly uniformed drum corps that march in parades, and give color and dash to many other public events. As we are stirred by the music and the precision maneuvers, we think of the long hours of practice that are required to perfect this group technique. The pride of the youngsters in their talent and skill is a wholesome development that deserves widespread recognition and appreciation.

Few people realize that more than 100,000 youngsters throughout the Nation are rehearsing 15 hours a week on the music and the drills that lead to the polished proficiency of a good drum corps. To qualify for membership in a drum corps requires hard work, cooperation with others, and self-discipline.

No less an authority than J. Edgar Hoover, Director of the Federal Bureau of Investigation, has complimented the

Drum Corps News for promoting interest among youngsters in this activity. Drum corps offer a healthy outlet for the energy of youngsters; give them a feeling of accomplishment; and strengthen character through wholesome group effort.

The Drum Corps News which is published in Lynn, Mass., is the only drum and bugle corps newspaper in the United States. It is read from coast to coast by over 8,000 people—twice monthly. It is the clearinghouse for information on equipment; news and pictures of interest to twirlers, color guards, drummers, and buglers; and details of the many competitive events that the regular press does not carry.

Participation in a drum corps affords opportunity and encouragement to young people. It is a constructive experience that helps them to become good citizens. It is one form of insurance against juvenile delinquency.

In recognition of the contributions by all who are engaged in this activity, I urge approval of House Joint Resolution 654 that will designate the week of July 15 to July 21 as "National Drum Corps Week."

CORRECTION OF THE RECORD

Mr. BROMWELL. Mr. Speaker, on page 5482 of the Record for yesterday I am reported as having referred to the 134th Reserve Division. I ask unanimous consent that the Record be corrected to state the 103d Reserve Division, which is the correct designation.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

CALL OF THE HOUSE

Mr. EVERETT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 60]

| | | |
|--------------|----------------|----------------|
| Abblitt | Fascell | O'Brien, Ill. |
| Addonizio | Finnegan | O'Hara, Mich. |
| Alford | Gavin | Patman |
| Andrews | Granahan | Peterson |
| Avery | Grant | Powell |
| Ayres | Gray | Rains |
| Bailey | Green, Oreg. | Reece |
| Baker | Halleck | Rivers, S.C. |
| Barrett | Hays | Rogers, Colo. |
| Barry | Hébert | Rooney |
| Blitch | Hoffman, Mich. | Rostenkowski |
| Bow | Huddleston | Scott |
| Boykin | Inouye | Selden |
| Brewster | Johnson, Md. | Shelley |
| Celler | Jones, Ala. | Slack |
| Clark | Kearns | Smith, Miss. |
| Coad | Kee | Spence |
| Cooley | Keith | Steed |
| Corbett | Kilburn | Thompson, La. |
| Cramer | McDowell | Thompson, N.J. |
| Davis, Tenn. | McIntire | Van Pelt |
| Dawson | Macdonald | Whitten |
| Diggs | Morrison | Wilson, Ind. |
| Dingell | Morse | |
| Dowdy | Murray | |

87TH CONGRESS
2^D SESSION

H. R. 11027

IN THE SENATE OF THE UNITED STATES

APRIL 5, 1962

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 344 (n) of the Agricultural Adjustment Act of
4 1938, as amended, is amended (1) by striking out the
5 figures "1961" where they first appear therein and inserting
6 the figures "1962".

Passed the House of Representatives April 5, 1962.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended.

APRIL 5, 1962

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued April 11, 1962
For actions of April 10, 1962
87th-2d, No. 55

CONTENTS

| | | |
|---------------------------|----------------------------|----------------------------------|
| Acreage allotments.....7 | Highways.....25 | Research.....23 |
| Cotton.....7 | Information.....24 | Retirement.....14 |
| Disaster relief.....27 | Lands.....13 | Roads.....25 |
| Easter recess.....15 | Legislative program.....15 | Soil conservation.....4 |
| Electrification.....11 | Manpower training.....16 | Textiles.....2 |
| Export control.....10 | Marketing orders.....1 | Transportation.....6,21 |
| Farm program.....1,8,22 | Milk quotas.....17 | Unemployment.....20 |
| Foreign currencies.....5 | Peace Corps.....15 | Unemployment compensation.....12 |
| Foreign trade.....2,10,18 | Personnel.....14,28 | Wool.....9 |
| Grain storage.....19 | REA.....24 | Youth conservation.....26 |
| Health benefits.....28 | Reclamation.....3 | |

HIGHLIGHTS: House committee approved marketing order provisions of farm bill. House began debate on bill for agricultural import restrictions on nonparticipating countries in multilateral trade agreements. Senate committee reported bill for transfer of cotton allotments on flooded acreage. Sen. McNamara introduced and discussed road bill.

HOUSE

1. FARM PROGRAM. The "Daily Digest" states that the Agriculture Committee "Met in executive session and approved title III (a) regarding marketing orders of H. R. 10010, the general farm bill." p. D266
2. FOREIGN TRADE. Began debate on H. R. 10788, to amend section 204 of the Agricultural Act of 1956 to authorize the President to extend import-export controls to non-participants in multilateral agreements regarding agricultural commodities or products or textiles or products. pp. 5666-79
Rejected the following amendments:
 - By Rep. Findley, to extend this authority to all agreements, instead of limiting it to multilateral agreements only. p. 5677
 - By Rep. Gross, to require multilateral agreements in beef and beef products, pork and pork products, fresh and frozen lamb, poultry and poultry products, and dairy products before such agreements can be enforced in regard to cotton textiles; by a 46-76 vote. pp. 5678-9

Rejected an amendment by Rep. Findley to provide that section 204 of the Agricultural Act of 1956 shall expire after June 30, 1963. p. 5679

Rep. Clem Miller inserted two statements by producers on the effects of the proposed Trade Expansion Act of 1962 on our agricultural trade and said, "It is essential our products not be discriminated against." pp. 5708-9

3. RECLAMATION. The Subcommittee on Irrigation and Reclamation of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 9252, to defer the collection or irrigation maintenance and operation charges for calendar year 1962 on lands within the Angostura unit, Missouri River Basin project, and, with amendments, H. R. 23, to authorize the Secretary of the Interior to construct, operate, and maintain the Arbuckle reclamation project, Okla. p. D266
4. SOIL CONSERVATION. The Judiciary Committee voted to report (but did not actually report) S. Con. Res. 62, to commemorate the 25th anniversary of the establishment of soil conservation districts. p. D266
5. FOREIGN CURRENCIES. Received from the Banking and Currency Committee a supplemental report on the expenditure of foreign currencies and appropriated funds for travel outside the U. S. p. 5710
6. TRANSPORTATION. Rep. Sibal commended various recommendations in the President's transportation message. p. 5704

SENATE

7. COTTON. The Agriculture and Forestry Committee reported without amendment H. R. 11027, to amend the Agricultural Adjustment Act of 1938 so as to extend to the 1962 crop the authority of the Secretary to permit operators of farms with flooded-out cotton acreage to transfer cotton acreage allotments to another farm operated by the farmer in the same or an adjoining county (S. Rept. 1327). p. 5726
8. FARM PROGRAM. The "Daily Digest" states that the Agriculture and Forestry Committee "continued its consideration of S. 2786, proposed Food and Agriculture Act of 1962, and tentatively adopted perfecting amendments to title I of the bill, relating to land-use adjustment, but did not conclude action thereon, and will meet again tomorrow." p. D263
Sen. Carlson inserted the minutes of a meeting of a group of Greeley County, Kan., farmers favoring changes in the wheat and feed grain programs. p. 5734
9. WOOL. Sen. McGee inserted a report by Prof. Glenn Roehrkas, Univ. of Wyoming, on the economic value of the Wyo. sheep and wool industry to the economy of Wyo. pp. 5736-7
10. EXPORT CONTROL. Both Houses received from Commerce a proposed bill "to provide for continuation of authority for regulation of exports"; to S. and H. Banking and Currency Committees. pp. 5711, 5723
11. ELECTRIFICATION. Received from Interior a proposed bill "to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal plants in that region and to guarantee electric consumers in other regions reciprocal priority"; to Interior and Insular Affairs Committee. p. 5723

TRANSFER OF FLOODED ACREAGE

APRIL 10, 1962.—Ordered to be printed

Mr. EASTLAND, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany H.R. 11027]

The Committee on Agriculture and Forestry, to whom was referred the bill (H.R. 11027), to amend the Agricultural Adjustment Act of 1938, as amended, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill would authorize the Secretary of Agriculture to permit 1962 cotton acreage allotments which cannot be planted because of natural disaster to be transferred to any farm in the same or an adjoining county in which the producer will be engaged in the production of cotton and will share in the proceeds thereof. The report of the House Committee on Agriculture is attached.

[H. Rept. 1552, 87th Cong., 2d sess.]

The Committee on Agriculture, to whom was referred the bill (H.R. 11027) to amend the Agricultural Adjustment Act of 1938, as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

In several areas of the Midsouth, floodwaters are now overrunning cotton land and preventing the planting of cotton. Even when the floodwaters recede, the land in many instances will be unfit for planting for several weeks. Under present provisions of permanent law, even though the farmowner or operator owns another farm in the same county, he cannot transfer any part of his flooded-out cotton allotment to the other farm.

In 1958, when a similar flood situation occurred at about this same time of year, an emergency law applying only to

the 1958 cotton crop was enacted permitting operators of farms with flooded-out cotton acreage to transfer all or part of that acreage allotment, with the permission of the county committee, to another farm in the same or an adjoining county operated by the same farmer. In 1961 when a similar flood situation occurred, the 1958 emergency law was changed to make it apply to the one year 1961.

This year flood conditions have already occurred in Kentucky and Tennessee and are expected to occur in Missouri, Mississippi, and other Southern States. This bill would change the date on the act to permit farmers in areas flooded in 1962 to take the same kind of action which has proved helpful in similar circumstances in the 2 previous years.

DEPARTMENTAL POSITION

There was not sufficient time to obtain a formal report from the Department of Agriculture on this bill, but officials of the Department appeared before the committee in 1958 and 1961 and stated that they had no objection to its enactment.

COST

It is not anticipated that there will be any additional cost to the Government as the result of this legislation.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938. AS AMENDED

SEC. 344 * * *

(n) Notwithstanding any other provision of this Act, if the Secretary determines that because of a natural disaster a substantial portion of the [1961] 1962 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Any farm allotment transferred under this paragraph shall be deemed to be released acreage for purposes of acreage history credits under sections 344(f)(8), 344(m)(2), and 377 of this Act.

Calendar No. 1290

87TH CONGRESS
2D SESSION

H. R. 11027

[Report No. 1327]

IN THE SENATE OF THE UNITED STATES

APRIL 5, 1962

Read twice and referred to the Committee on Agriculture and Forestry

APRIL 10, 1962

Reported by Mr. EASTLAND, without amendment

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 344 (n) of the Agricultural Adjustment Act of
4 1938, as amended, is amended (1) by striking out the
5 figures "1961" where they first appear therein and inserting
6 the figures "1962".

Passed the House of Representatives April 5, 1962.

Attest:

RALPH R. ROBERTS,

Clerk.

Calendar No. 1290

87TH CONGRESS
2^D SESSION

H. R. 11027

[Report No. 1327]

AN ACT

To amend the Agricultural Adjustment Act of
1938, as amended.

APRIL 5, 1962

Read twice and referred to the Committee on
Agriculture and Forestry

APRIL 10, 1962

Reported without amendment

Senate April 16, 1962

Wheat Program

"Authorizes producers by a majority vote to choose between --

- (a) a 2-year extension (through 1964) of the special wheat program; or
- (b) a marketing certificate plan under which noncertificated wheat would be supported at the feed value with corn and certificated wheat would be supported at between 65 and 90 percent of parity. Certificates would cover all wheat consumed domestically for food and such part of the exports as determined by the Secretary would carry out the price and income objectives of the bill."

Rural Electrification Administration

"Provides revolving fund for REA loans."

Industrial Uses of Agricultural Products

"Establishes an Agricultural Research and Industrial Use Administration within the Department of Agriculture to carry out an expanded research program on industrial uses of agricultural commodities."

10. SECOND SUPPLEMENTAL APPROPRIATION BILL, 1962. Passed with amendments this bill, H. R. 11038 (pp. 6088-13, 6114-5, 6117-20). Conferees were appointed (p. 6120). See Digest 56 for a summary of items of interest to this Department.

Agreed to the following amendments:

The committee amendments as reported by the Appropriations Committee. pp. 6089-90, 6100

By Sen. Holland, to authorize the Director of the Budget Bureau to create a special panel within the Bureau to carefully screen and evaluate all requests for additional personnel, and to make exhaustive and searching inquiries within the departments and agencies prior to approving any request for additional personnel. p. 6090

By Sen. Holland, to provide \$2,850,000 for expenses necessary to carry into effect the Manpower Development and Training Act of 1962 (Public Law 87-415). pp. 6091-2

By Sen. Holland, to provide \$1,065,929 for payment of judgments and claims against the U. S. p. 6092

Sen. Williams, Del., submitted, but later withdrew, a proposed amendment to prohibit the use of Federal funds for publicity or propaganda purposes designed to support or defeat legislation pending before Congress, or to pay the salary of any officer or employee, except certain elective and appointive officers, in the executive branch who appears before any public group for the purpose of explaining, interpreting, supporting, or opposing the administration's position on legislation pending before Congress. pp. 6092-7

11. COTTON. H. R. 11027, to amend the Agricultural Adjustment Act of 1938 so as to extend to the 1962 crop the authority of the Secretary to permit operators of farms with flooded-out cotton acreage to transfer cotton acreage allotments to another farm operated by the farmer in the same or an adjoining county, was made the unfinished business. p. 6120

12. PERSONNEL. Received from the President a report on employee development and training in the Federal Civil Service for fiscal year 1961. p. 6047

13. ROADS. Received from Commerce a proposed bill "to amend title 23, U. S. Code, with respect to the mileage of rural delivery and star routes used as a factor in apportionment of Federal-aid primary and secondary funds"; to Public Works Committee. p. 6048
14. BEEF IMPORTS. Received a Hawaii Legislature resolution urging a study of the importation of foreign beef to determine the advisability of imposing a quota on beef imports. p. 6049
15. PUBLIC BUILDINGS. The "Daily Digest" states that the Public Works Committee "'approved prospectuses for 27 construction projects for new Federal buildings; prospectuses for alterations for 74 existing Federal buildings; and prospectuses for 5 additional Federal buildings." p. D287
16. GRAIN STORAGE. Sen. Williams, Del., inserted correspondence with this Department "requesting information as to the status of any financial arrangements or storage agreements between his Department and Mr. Billie Sol Estes," and an article, "U. S. Aid Quits in Payola From Fertilizer King." p. 6084
17. AREA REDEVELOPMENT. Sen. Pell inserted an article, "Retraining the Unemployed" discussing the retraining of unemployed workers "as the new Area Redevelopment Agency gets under way." pp. 6131-2
18. ROADS; FORESTRY. As introduced, S. 3136 and H. R. 11199, the Administration's proposed Federal-Aid Highway Act of 1962, includes appropriation authorizations as follows: forest development roads and trails; an additional \$10 million for fiscal year 1963, \$70 million for fiscal year 1964, and \$85 million for fiscal year 1965; forest highways: \$33 million for fiscal years 1964 and 1965; and Federal-aid primary and secondary highway system: \$950 million for fiscal years 1964 and 1965.
19. FOREIGN TRADE. Sen. Carlson inserted his address before the League of Women Voters in Topeka, Kans., discussing the importance of foreign trade to our agricultural economy. pp. 6120-3
Sen. Pell inserted an article, "Providence Pile Fabric Links Success to Export Business." p. 6128
20. LEGISLATIVE PROGRAM. Sen. Humphrey stated that H. R. 11027, the flooded-out cotton acreage bill, and H. R. 10607, tariff classification restatement bill, will be considered Tues., Apr. 17. Also, he stated that the Senate will adjourn from Tues. to Thurs., and from Thurs. to the following Mon. p. 6113

ITEMS IN APPENDIX

21. CONSUMERS. Extension of remarks of Rep. Hruska inserting two editorials criticizing the President's consumer message, "National Affairs -- A 'Protection' Consumers Need," and "From January to May." pp. A2894-5
22. FOREIGN TRADE. Extension of remarks of Rep. Rousselot criticizing H. R. 9900, the proposed Trade Expansion Act of 1962, and inserting an article, "Escape From Principle -- Washington Is Merely Paying Lip Service to Free Trade." p. A2904
Extension of remarks of Rep. Breeding inserting a resolution from the League of Women Voters of Kansas supporting H. R. 9900. pp. A2924-5
Extension of remarks of Rep. Dent inserting a letter from the Western Growers Association opposing the proposed Trade Expansion Act of 1962. p. A2941

tent of 7,949 employees in the budget request now before us.

Mr. HUMPHREY. And the Executive Office of the President—

Mr. MONRONEY. There was a decrease of 97 in that Office.

Mr. HUMPHREY. What was the third department?

Mr. MONRONEY. Foreign aid, a decrease of 160.

Mr. HUMPHREY. Those departments did not ask for additional personnel but, in fact, asked for fewer.

We can well ask ourselves where the increase of 46,147 arises. I shall not ask for a listing of the departments and their requests.

Mr. MONRONEY. I intend to put such a list in the RECORD at the conclusion of my remarks, so that the Senator will see the number that the various agencies are requesting. One department, the Post Office Department, has requested as high as 15,464 additional employees. The Department of the Treasury is asking for 6,881 additional employees, many of whom would be revenue collectors. The space agency is requesting 4,300. Perhaps that additional personnel is necessary. We wish to know the facts through experts. So far, the Senate has passed only one appropriation bill. The quicker we can get on with the job proposed, the more we shall be able to save in appropriations for this year. At least that is my hope. By next year, with a competent panel of men putting a spotlight on the personnel needs, they will be able to give the Congress advice and testimony that we have not had in the past concerning justification for the overall expenses of Government. This includes expenses for personnel, as one of the portions of the overall budget.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. MONRONEY. I am happy to yield.

Mr. HUMPHREY. I do not wish my remarks to be interpreted as meaning, for example, that the Treasury Department should not have more personnel. We have directed the Treasury Department to hire more revenue agents. That statement applies to other departments. I do not know whether the Post Office Department needs the additional number specified.

Mr. MONRONEY. Some additional lettercarriers undoubtedly will be required to service our towns as the towns continue to grow. For that reason, the skill of a man with a surgeon's scalpel instead of a meat-axe approach is needed in order to remedy this situation.

Mr. HUMPHREY. I believe that the Senator's amendment is indicative of responsible Government and reveals a great sense of understanding of the needs of the executive branch of the Government. No one is in a better position to offer that kind of advice than the author of the Reorganization Act for the Congress, and one who has interested himself for years in governmental efficiency. I am happy to say that over the years I have associated myself with the bills the Senator recited a while ago for the joint budget program of which the Senator from Arkansas [Mr. McCLELLAN] and other Senators were sponsors.

Mr. MONRONEY. I believe that President Kennedy introduced one.

Mr. HUMPHREY. Those efforts reveal the sensible and responsible way to get at the problems of a growing Federal civil service and Federal employment.

Mr. MONRONEY. I thank the Senator for his remarks. I feel that they are true. For example, we authorized a large increase in personnel for the Bureau of Internal Revenue because the number of tax returns was growing larger, and we were able to audit too small a percentage of them.

That was fine. But I would like to follow through and see if there is truth in some of the rumors I have heard that many of the supposed revenue agents that were employed were winding up as satchel carriers for the brass, the subbrass, or the sub-sub brass in order to make them feel more important; and that many of the 3,000 employees, that we thought were going to be auditing, are merely flunkies to some subdepartment chief or regional chief out in the field. I want a searching inquiry both before and after in order to know what is happening to those people.

Let us not leave ourselves out. Let us consider the Senate. It is proposed that the Senate add 102 employees. Those employees would be stenographers. Every Senator knows of the millions of letters we are receiving asking for more

economy in Government, which require additional stenographers to answer. We all know that we have a great backlog because of the letter-writing campaigns, which have been larger this year than before.

If we must have 102 additional employees to write letters, I ask whether we can find them already here in the Senate. We must determine whether we can run our elevators a shorter number of hours, perhaps have fewer people standing around the corridors of the Capitol, and pinch down in some of the less necessary work that goes on in the Senate.

While the Budget Bureau might not feel inclined to help us squeeze our personnel loads down, I believe that the amendment will enable us to demand better performance and better advice on the personnel in the service of the Senate.

I appreciate the cooperation of the great chairman of the committee and the fine help he has given to secure its inclusion in the bill.

I feel sure that the House conferees, with many of whom I have sat in the Congress, would approve such an idea. They are unwilling that Members of the Congress overstaff themselves with people, and they will approve of the Budget Bureau's taking the responsibility for surveying and certifying as to the essentiality of the personnel requested, or to deny the jobs for which essentiality is not demonstrated. I thank the chairman of the subcommittee for his great cooperation.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator for his contribution. It is a fine amendment. I hope it will stick. I have supported him heretofore in his more ambitious efforts that have run into opposition from the other body. I hope this time we will make the progress suggested. If so, I predict that it will be followed by a successful saving.

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a list showing the increases and decreases in requested personnel.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

| | 1962 | 1963 | Increase or decrease | | 1962 | 1963 | Increase or decrease |
|-----------------------------------|---------|---------|----------------------|--|-----------|-----------|----------------------|
| Increases in requested personnel: | | | | Increases in requested personnel—Continued | | | |
| Department of Agriculture..... | 110,934 | 116,388 | 5,454 | General Services Administration..... | 32,844 | 34,521 | 1,677 |
| Department of Commerce..... | 30,793 | 32,773 | 1,980 | Housing and Home Finance Agency..... | 13,607 | 14,981 | 1,374 |
| Department of Defense: Civil..... | 31,445 | 31,562 | 117 | NASA..... | 22,000 | 26,300 | 4,300 |
| Department of DEW..... | 78,028 | 82,669 | 4,641 | Veterans' Administration..... | 177,860 | 178,975 | 1,115 |
| Department of Interior..... | 64,762 | 70,157 | 5,395 | Other agencies..... | 81,649 | 81,832 | 183 |
| Department of Justice..... | 31,997 | 32,671 | 674 | Legislative: U.S. Senate..... | | | 102 |
| Department of Labor..... | 8,642 | 8,956 | 314 | Decreases in requested personnel: | | | |
| Post Office Department..... | 593,265 | 608,729 | 15,464 | Executive Office of the President..... | 1,661 | 1,564 | 97 |
| Department of State..... | 24,038 | 24,221 | 183 | Department of Defense (military)..... | 1,037,018 | 1,029,069 | 7,949 |
| Peace Corps..... | 547 | 1,093 | 546 | Department of State (AID)..... | 10,219 | 10,059 | 160 |
| Treasury Department..... | 82,995 | 89,876 | 6,881 | | | | |
| Atomic Energy Commission..... | 6,923 | 7,035 | 112 | | | | |
| Federal Aviation Agency..... | 45,118 | 48,959 | 3,841 | Total increase..... | | | 46,147 |

Mr. HOLLAND. Mr. President, may we have the vote on the passage of the bill?

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 11038) was passed.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I wish to thank every subcommittee chairman of the Committee on Appropriations, because the work in connection with the development of this supplemental bill was divided among all the chairmen of the subcommittees. I wish the RECORD to show that I am very much obligated to each of them for the good work that he has done, and, also, to the ranking minority members.

Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Presiding Officer appointed Mr. HOLLAND, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. MCCLELLAN, Mr. MAGNUSON, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. MUNDT conferees on the part of the Senate.

Mr. HUMPHREY. Mr. President, before the Senator from Florida leaves the Chamber, I wish to express, on behalf of the distinguished chairman of the committee and on behalf of the majority leader and myself, appreciation for the fine manner in which the Senator from Florida has handled the bill and the work he did in committee to bring the bill to the floor for debate and action. It was a tedious job. As usual he handled it in a most able and commendable manner.

Mr. HOLLAND. I thank the acting majority leader. I hope we can get the bill speedily out of conference and signed by the President, because it contains nearly \$50 million for disaster relief, funds which are very badly needed under conditions with which all of us are familiar.

MRS. CHOW CHUI HA—VETO MESSAGE (S. DOC. NO. 87)

The PRESIDING OFFICER (Mr. PELL in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary, and ordered to be printed:

To the Senate of the United States:

I return herewith, without my approval, S. 1934, "For the relief of Mrs. Chow Chui Ha."

The provision of law which would have been made applicable by the bill to Mrs. Chow and would have granted her and her family nonquota immigrant status

was expressly repealed as of March 25, 1962. Accordingly, the intended relief is no longer available and approval of the bill would serve no useful purpose.

JOHN F. KENNEDY.

THE WHITE HOUSE, April 16, 1962.

ELIZABETH TAYLOR

Mr. BARTLETT. Mr. President, the glories of American journalism became even more glorious as of last Saturday. On that day, in a front-page article, the New Haven Register subtly, differently, and with dexterity—and perhaps with a bit of cruelty—dealt with a situation about which all of us have read too much already. Without attempting in my own words to give a demonstration of why American journalism was elevated on that day, I quote from the article to which I have referred. The headline reads: "Liz Squeezed Out."

There followed these words:

EDITOR'S NOTE.—Due to an abundance of legitimate news, there is no Elizabeth Taylor-Richard Burton story in today's Saturday special.

AMENDMENT OF THE AGRICULTURAL ACT OF 1938

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1290, H.R. 11027.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 11027) to amend the Agricultural Adjustment Act of 1938, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. HUMPHREY. Mr. President, I move that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL TRADE

Mr. CARLSON. Mr. President, it is my opinion that the most important legislation facing this session of Congress is legislation affecting increased international trade.

International trade is mutually advantageous in the interest of a strong economy in the United States and in order to maintain our leadership in the pursuit of lasting peace. I have a strong conviction that trade is a key to the maintenance of peace and freedom in the non-communistic world. In this struggle, two principal elements emerge—free world strength and free world unity.

Of course, we must be militantly strong if we are to contain the armed might of the Soviet Union. But of equal importance is free world economic strength. The ability and opportunity

of nations to trade, to buy, to sell, to earn, bring a vitality and vigor to a nation's economy that can be obtained in no other manner.

At the same time, such trade can contribute substantially to free world unity. Indeed, throughout history it is clear that trade relations have been and are requisite to political alliances. In simple terms, customers and suppliers are usually friends. Expanding markets, expanding sources of supply, should be the keystone in the free world's struggle for peace with freedom.

In discussing an expanded foreign trade at a meeting in Topeka, Kans., Wednesday, April 11, I made the above statement.

This meeting was sponsored by the League of Women Voters of Kansas, whose president is Mrs. Paul Peterman of Hutchinson, Kans. The Kansas League of Women Voters is taking an active part in promoting an expansion of international trade in our State.

Mrs. Peterman stated that the organization favored the tariff legislation since it would pave the way for political harmony, stimulate economic growth, and expand opportunities for consumer choice of products.

The chairman of the meeting was former Gov. Alf M. Landon. Governor Landon is taking an active interest in an expanded trade program because of its benefits to our Nation through economic, political, and social gains.

Representatives of agriculture, industry, and labor participated in the meeting.

Walter C. Pierce, president of the Kansas Farm Bureau, stated that the proposed trade agreement authority, while agreeable, should allow for all U.S. products to be negotiated at the same time.

In discussing the matter further, Mr. Pierce stated:

The Common Market wants to be as nearly self-sufficient as possible on agricultural products. We farmers would have no bargaining advantage if concessions on industrial products had already been made.

We do not believe it is consistent with this act for the Department of Agriculture to push for a farm bill that curtails production in an effort to raise farm income.

This leads to less efficient production, raises our costs and sets an artificial price for our products when we are trying to compete in the world markets.

Mr. Harry C. Colglazier, of Larned, Kans., master of the Kansas Grange, endorsed the proposed legislation as a means of expanding trade among nations of the free world.

The Kansas Farmers Union was represented by Mr. Martin Byrne, of Topeka, Kans., who emphasized the need for expanded trade in behalf of agriculture. He also stated the program should be given "a seasoned approach" but that the President should be given the authority to make trade agreements.

Mr. Merle Worman, Topeka, vice president of the Kansas Federation of Labor, AFL-CIO, expressed the views of the organization and stated that labor definitely favors the President's request because it will create new markets, industry, and job opportunities. Mr. Wor-

Daily Digest

HIGHLIGHTS

Senate passed second supplemental appropriations.

House passed military construction authorization bill, observed Pan American Day, and passed eight miscellaneous bills.

Senate

Chamber Action

Routine Proceedings, pages 6047-6088

Bills Introduced: 16 bills and 1 resolution were introduced, as follows: S. 3167-3182, and S. Res. 330.

Pages 6050-6051

Bill Reported: Report was made as follows: H.R. 7477, repealing section 409 of the Public Buildings Act, which requires the submission of a report to Congress concerning eligible public building projects (S. Rept. 1342).

Page 6050

Bill Referred: One House-passed bill was referred to appropriate committee.

Page 6047

Educational TV: Senate adopted conference report on S. 205, to expedite the utilization of television facilities for educational purposes.

Pages 6115-6117

Second Supplemental Appropriations: Senate passed with amendments (motion to reconsider passage tabled) H.R. 11038, second supplemental appropriations for fiscal year 1962, after taking the following actions on amendments:

Adopted: All committee amendments; and eight Holland amendments respecting provisions having to do with (1) appointment and salary of a U.S. Commissioner at the New York World's Fair, (2) Bureau of the Budget personnel review panel, (3) construction of Public Health Service facilities, (4) construction of facilities for NASA, (5) funds for Manpower Development and Training Act of 1962, (6) and (7) funds for the legislative branch, and (8) funds for payment of claims following judgments by the U.S. courts; and

Rejected: By 13 yeas to 60 nays (motion to reconsider tabled), Proxmire amendment to eliminate the language providing \$15 million for participation in the New York World's Fair.

Senate insisted on its amendments, asked for conference with House, and appointed as conferees Senators Holland, Hayden, Russell, Hill, McClellan, Magnuson, Young (North Dakota), Saltonstall, and Mundt.

Pages 6088-6115, 6117-6120

Veto Message—Private Bill: President transmitted message, returning without his approval S. 1934, a private bill, which was read and referred to the Committee on the Judiciary.

Page 6120

Agriculture—Flooded Acreage: Senate made its unfinished business H.R. 11027, authorizing the transfer of cotton acreage allotments from flooded acreage.

Page 6120

Legislative Program: Acting majority leader announced that on Tuesday Senate will consider H.R. 11027, transfer of flooded acreage allotments, to be followed by H.R. 10607, tariff reclassification. The Senate will go over from Tuesday, April 17, until Thursday, April 19, when there will be a brief session, following which the Senate will go over until Monday, April 23, on which day a pro forma session is planned with no voting scheduled.

Pages 6113-6114

Nominations: One judicial, and numerous Navy and Air Force nominations were received.

Pages 6132-6143

Record Vote: One record vote was taken today.

Page 6113

Program for Tuesday: Senate met at noon and adjourned at 5:56 p.m. until noon Tuesday, April 17, when it will consider H.R. 11027, transfer of flooded acreage allotments, to be followed by H.R. 10607, tariff reclassification.

Pages 6120, 6132

Committee Meetings

(Committees not listed did not meet)

FARM PROGRAM

Committee on Agriculture and Forestry: On Friday, April 13, committee, in executive session, ordered favorably reported with amendments S. 2786, proposed Food and Agriculture Act of 1962. A summary of the bill, as approved by the committee, is as follows:

Land Use Adjustment

1. Permanent extension of the agricultural conservation program on a national basis.

2. Payments to producers under the Soil Conservation and Domestic Allotment Act under long-term agreements (not to exceed 15 years) to conserve and develop soil, water, forest, wildlife, and recreation resources. Total payments are restricted to \$10 million annually.

3. Development of more economic use of lands, fish and wildlife projects, and assistance to local public authorities to provide public recreation under the Bankhead-Jones Farm Tenant Act.

4. Loans under the Bankhead-Jones Act to State and local public agencies to carry out plans of land conservation and land utilization, such loans to be repaid in 30 years.

5. Payment of half the cost of fish, wildlife, and recreation improvements involving land, easements, rights-of-way, and minimum basic facilities under the Watershed Act.

6. Farmers Home Administration loans for recreation facilities.

Public Law 480

1. Authorize long-term supply contracts with private trade.

2. Makes permissive rather than mandatory the authority to make agreements with other exporting nations to participate in long-term supply programs.

Feed Grain Program

Extends for 1 year (through 1963) the special feed grain program.

Wheat Program

Authorizes producers by a majority vote to choose between—

(a) a 2-year extension (through 1964) of the special wheat program; or

(b) a marketing certificate plan under which noncertificated wheat would be supported at the feed value with corn and certificated wheat would be supported at between 65 and 90 percent of parity. Certificates would cover all wheat consumed domestically for food and such part of the exports as determined by the Secretary would carry out the price and income objectives of the bill.

Rural Electrification Administration

Provides revolving fund for REA loans.

Industrial Uses of Agricultural Products

Establishes an Agricultural Research and Industrial Use Administration within the Department of Agriculture to carry out an expanded research program on industrial uses of agricultural commodities.

APPROPRIATIONS—LABOR-HEW

Committee on Appropriations: Subcommittee continued its hearings on H.R. 10904, fiscal 1963 appropriations for the Departments of Labor and Health, Education, and Welfare, with testimony on funds for medical research from numerous public witnesses.

Hearings continue tomorrow, with testimony on this subject from other public witnesses.

MILITARY CENSORSHIP

Committee on Armed Services: Special Preparedness Subcommittee continued its hearings on the troop information and education phase of its military censorship hearings, receiving testimony from Lt. Comdr. Frank W. Wadsworth, Great Lakes Naval Training

Station, Chicago; Dr. Robert Beerstecher, Office of Assistant Chief of Staff for Intelligence, Army; and Col. Otis E. Hays, Jr., Office of the Deputy Chief of Staff for Military Operations, Army.

On Friday, April 13, subcommittee had as its witnesses Col. Jack L. Weigand, Office of Assistant Chief of Staff for Intelligence, Army; Dr. F. R. Sala, instructor, Army Intelligence School, Fort Holabird, Md.; and Franklin P. Welch, Assistant Chief of Counter-Intelligence, Air Force.

Hearings continue tomorrow.

STOCKPILING

Committee on Armed Services: Subcommittee on the National Stockpile resumed its hearings, with especial attention to a practice of deferring deliveries on stockpile contracts, under certain conditions, by companies in the copper industry. Witnesses heard were Johnston Russell, Assistant Comptroller, and Louis Brooks, Deputy Assistant Comptroller, both of Credit and Finance; George K. Casto, Defense Materials Service; and Phil W. Jordan, Federal Supply Service, all of the General Services Administration.

Hearings continue on Monday, April 23.

DISCLOSURE OF FINANCE CHARGES

Committee on Banking and Currency: Subcommittee on Production and Stabilization, in executive session, agreed to begin hearings in Washington, D.C., on May 8 on S. 1740, to require the disclosure of finance charges in connection with extensions of credit. Prior to this action, subcommittee, by a vote of 5 to 5, rejected a motion to hold out-of-town hearings on this bill.

COMMUNICATIONS SATELLITE SYSTEM

Committee on Commerce: Committee continued its hearings on S. 2814, to establish a commercial communications satellite system, receiving testimony from Senators Long of Louisiana and Kefauver, the latter of whom did not conclude his testimony, and will resume same at the committee's next hearing on Tuesday, April 24.

On Friday, April 13, committee received testimony on this bill from Joseph Beirne, Communication Workers of America, AFL-CIO; Morton Langstaff, National Telephone Cooperative Association; and Daniel Cannon, National Association of Manufacturers.

PACIFIC NORTHWEST LUMBER INDUSTRY

Committee on Commerce: Committee held hearings in connection with the depressed condition of the Pacific Northwest lumber market, with especial attention to the impact of imports on this industry. Witnesses heard were Representatives Clem Miller and Pelly; G. Cleveland Edgett, West Coast Lumbermen's Association, Portland, Oreg.; Mortimer B. Doyle, National Lumber Manufacturers Association; Joseph Miller,

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued April 18, 1962
For actions of April 17, 1962
87th-2d, No. 59

CONTENTS

| | | |
|----------------------------|----------------------------|----------------------------|
| Acreage allotments....2,20 | Farm labor.....50 | Personnel.....4,9,41 |
| Adjournment.....15 | Farm loans.....6 | Potatoes.....40 |
| Appropriations.....21,47 | Farm program.....7,29,45 | Public works.....1 |
| Assistant secretaries...49 | Foreign aid.....48 | REA loans.....34 |
| ASCS.....37 | Foreign trade....23,27,46 | Reclamation.....26,35 |
| Buildings.....12 | Forestry.....5,10,19,30,36 | Reports.....18 |
| Civil defense.....8 | Investigation.....37 | Research.....16,43 |
| Cooperatives.....32 | Lands.....19 | Retirement.....41 |
| Cotton.....2,46 | Livestock.....11 | Roads.....25,38 |
| Dairy.....18 | Milk.....29 | Safety.....9 |
| Education.....39 | Minerals.....42 | Seeds.....17 |
| Electrification.....34 | Peace Corps.....51 | Soil conservation.....31 |
| | | Standby capital.....1 |
| | | Surplus property.....44 |
| | | Tariffs.....3 |
| | | Taxation.....32 |
| | | Territories.....24 |
| | | Trade fairs.....13 |
| | | Transportation.14,25,28,52 |
| | | Virgin Islands.....24 |
| | | Waterfowl.....5 |
| | | Wildlife refuges.....53 |
| | | Youth conservation...22,33 |

HIGHLIGHTS; Senate committee voted to report bill for standby authority to accelerate public works programs. Sen. Humphrey urged expanded Farmers Home Administration loan program. Sen. Proxmire opposed farm program. House debated Defense Department appropriation bill. Sen. Williams, Del., submitted and discussed resolution to authorize study and investigation of this Department.

SENATE

1. PUBLIC WORKS. The Public Works Committee voted to report (but did not actually report) with amendments S. 2965, to provide standby authority to accelerate public works programs. The "Daily Digest" states that as approved by the committee "the bill would authorize \$2.6 billion for such programs." p. D295
2. COTTON. Passed without amendment H. R. 11027, to amend the Agricultural Adjustment Act of 1938 so as to extend to the 1962 crop the authority of the Secretary to permit operators of farms with flooded-out cotton acreage to transfer cotton acreage allotments to another farm operated by the farmer in the same or an adjoining county. This bill will now be sent to the President. p. 6267
3. TARIFFS. Passed with an amendment H. R. 10607, to amend the Tariff Act of 1930 so as to provide for the adoption and implementation of revised tariff schedules proposed by the Tariff Commission and to make certain amendments in existing law necessitated by the adoption of such revised schedules. pp. 6267-70

4. PERSONNEL. The Foreign Relations Committee voted to report (but did not actually report) with amendment S. 2919, to authorize certain retired personnel to accept and wear decorations, presents, and other things tendered them by certain foreign countries. p. D294
5. FORESTRY; WATERFOWL. The Irrigation and Reclamation Subcommittee of the Interior and Insular Affairs Committee voted to report to the full committee S. 1988, to provide that U. S. lands within the boundaries of the Lower Klamath National Wildlife Refuge, the Upper Klamath National Wildlife Refuge, and the Tule Lake National Wildlife Refuge shall be dedicated to wildlife conservation. p. D294
6. FARM LOANS. Sen. Humphrey commended the work of the Farmers Home Administration, urged an expansion of its loan activities, and proposed that "we take a fresh look at the Farmers Home Administration and make it a well-financed tool for the fight on human misery and the maintenance of the family farms." pp. 6271-4
7. FARM PROGRAM. Sen. Proxmire expressed opposition to several features of the Administration's farm program, and stated that the reason he "voted in the Senate Agriculture Committee to modify very substantially the farm proposals offered by the Department of Agriculture ... was the very substantial probability that both the Department's mandatory feed grains and dairy proposals would be rejected by farmers voting in the nationwide referendums that would be necessary to put these programs into operation." pp. 6238-41
Sen. Dirksen inserted the platform adopted at the convention of the Young Republican College Federation of Illinois, including recommendations on agriculture. pp. 6246-8
8. CIVIL DEFENSE. Both Houses received from the Office of Emergency Planning a proposed bill "to amend the provisions of title III of the Federal Civil Defense Act of 1950"; to Armed Services Committees. pp. 6220, 6357
9. SAFETY. Both Houses received from Labor a proposed bill "to provide for assistance to States in the promotion, establishment, and maintenance of safe work places and work practices"; to H. Education and Labor and S. Labor and Public Welfare Committees. pp. 6220, 6357
10. FORESTRY. Sen. Neuberger inserted the opinion of the General Counsel of this Department that forestry is a part of agriculture and that timber is an agricultural commodity. pp. 6251-3
11. LIVESTOCK. Received a Calif. Legislature resolution urging action to restrict the importation of livestock and livestock products. p. 6221
12. FEDERAL BUILDINGS. The Public Works Committee reported with amendments S. 819, to provide suitable works of art in Federal buildings (S. Rept. 1343). p. 6221
13. TRADE FAIRS. Sen. Engle urged, as a means of stimulating U. S. exports, "the use of trade-fair ships, which would provide a means for exhibiting our products in port cities throughout the world," and inserted an article, "Japan Develops Trade-Fair Ship." pp. 6245-6
14. TRANSPORTATION. Conferees were appointed on S. 320, to amend the Interstate Commerce Act so as to permit State commissions to grant the right to motor

certified copies of such State certificates and other appropriate statements and data, and compliance with applicable requirements established by and under the authority of statutes applicable to interstate and foreign operations administered by the Commission, as conditions precedent to engaging in interstate and foreign operations under the authority of such State certificate. In accordance with such reasonable rules as may be prescribed by the Commission, any party in interest, who or which opposed in the State commission proceeding the authorization of operations in interstate or foreign commerce, may petition the Commission for reconsideration of the decision of the State commission authorizing operations in interstate or foreign commerce, and upon such reconsideration upon the record made before the State commission, the Commission may affirm, reverse, or modify the decision of the State commission, but only with respect to the authorization of operations in interstate and foreign commerce.

"(7) (A) In the case of any person who or which on the date of the enactment of this paragraph was in operation solely within a single State as a common carrier by motor vehicle in intrastate commerce (excluding persons controlled by, controlling, or under a common control with, a carrier engaged in operations outside such State), and who or which was also lawfully engaged in such operations in interstate or foreign commerce under the certificate exemption provisions of the second proviso of paragraph (1) of this subsection, as in effect immediately before the date of the enactment of this paragraph or who or which would have been so lawfully engaged in such operations but for the pendency of litigation to determine the validity of such person's intrastate operations to the extent such litigation is resolved in favor of such person, and has continued to so operate since that date (or if engaged in furnishing seasonal service only, was lawfully engaged in such operations in the year 1961 during the season ordinarily covered by its operations, and such operations have not been discontinued), except in either instance as to interruptions of service over which such person had no control, the Commission shall issue to such person a certificate of registration authorizing the continuance of such transportation in interstate and foreign commerce if application and proof of operations are submitted as provided in this subsection. Such certificate of registration shall not exceed in scope the services authorized by the State certificate to be conducted in intrastate commerce, and shall be subject to the same terms, conditions, and limitations as are contained in or attached to the State certificate except to the extent that such terms, conditions, or limitations are inconsistent with the requirements established by or under this Act. If the effectiveness of the State certificate is limited to a specified period of time, the certificate of registration issued under this paragraph (7) shall be similarly limited. Operations in interstate and foreign commerce under such certificates of registration shall be subject to all other applicable requirements of this Act and the regulations prescribed hereunder. Certificates of registration shall be valid only so long as the holder is a carrier engaged in operation solely within a single State, not controlled by, controlling, or under a common control with a carrier engaged in operation outside such State, and except as provided in section 5 and in the conditions and limitations stated herein, may be transferred pursuant to such rules and regulations as may be prescribed by the Commission, but may not be transferred apart from the transfer of the corresponding intrastate certificate, and the transfer of the intrastate

certificate without the interstate or foreign rights shall terminate the right to engage in interstate or foreign commerce. The termination, restriction in scope, or suspension of the intrastate certificate shall on the 180th day thereafter terminate or similarly restrict the right to engage in interstate or foreign commerce unless the intrastate certificate shall have been renewed, reissued, or reinstated or the restrictions removed within said one hundred and eighty-day period. If, however, during the six-month period of termination, restriction in scope or suspension of the State certificate the holder of the corresponding certificate of registration has continuously performed the interstate operations authorized thereunder such certificate of registration can only be suspended, revoked, or terminated by the Commission in accordance with the provisions of the Act governing such suspensions, revocations, or terminations of certificates issued by the Commission: *Provided, however, That under all other circumstances* * * *. Such certificates of registration shall be subject to suspension or termination by the Commission in accordance with the provisions of this Act governing the suspension and termination of certificates of public convenience and necessity issued by the Commission.

"(B) All rights to engage in operations in interstate and foreign commerce under the provisions of the second proviso of paragraph (1) of this subsection, as in effect immediately before the date of the enactment of this paragraph, shall cease and terminate, but any carrier lawfully engaged in interstate and foreign operations on the date of the enactment of this paragraph or any carrier who would have been so lawfully engaged in such operations but for the pendency of litigation to determine the validity of such person's intrastate operations to the extent such litigation is resolved in favor of such person, pursuant to such provisions, may continue such operations for 120 days after such date and, if an appropriate application for a certificate of registration is filed within such period, such operations may be continued pending the determination of such application. The Commission shall prescribe the form of such application, the information and documents to be furnished, the manner of filing, and the persons to whom or the manner of giving notice to interested persons of such filings. Issues arising in the determination of such applications shall be determined in the most expeditious manner and, so far as practicable and legally permissible, without formal hearings or other proceedings. A notice of intent to engage in interstate and foreign operations accompanied by certified copies of effective, lawfully issued or acquired State certificates filed with the Commission as evidence of authority to operate in interstate or foreign commerce under the provisions of the second proviso of paragraph (1) of this subsection, as in effect immediately before the date of the enactment of this paragraph, shall be conclusive proof that the applicant is lawfully engaged in interstate and foreign operations and the scope thereof."

Mr. SMATHERS. Mr. President, I move that the Senate disagree to the amendments of the House, ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SMATHERS, Mr. HARTKE, Mr. MCGEE, Mr. MORTON, and Mr. CASE of New Jersey conferees on the part of the Senate.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

The Senate resumed the consideration of the bill (H.R. 11027) to amend the Agricultural Adjustment Act of 1938, as amended.

Mr. HUMPHREY. Mr. President, the purpose of the bill, as reported from the Committee on Agriculture and Forestry by the Senator from Mississippi [Mr. EASTLAND], is to deal with a situation which exists in several areas of the Mid-south, where floodwaters are now over-running cotton land and preventing the planting of cotton. Even when the floodwaters recede, the land in many instances will be unfit for planting for several weeks.

This year flood conditions have already occurred in Kentucky and Tennessee and are expected to occur in Missouri, Mississippi, and other Southern States. The bill would change the date on the act to permit farmers in areas flooded in 1962 to take the same kind of action which has proved helpful in similar circumstances in the 2 previous years.

The bill would authorize the Secretary of Agriculture to permit 1962 cotton acreage allotments which cannot be planted because of natural disaster to be transferred to any farm in the same or an adjoining county in which the producer will be engaged in the production of cotton and will share in the proceeds thereof.

As has been stated, the bill has been passed by the House.

Mr. KUCHEL. Madam President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. KUCHEL. Will the Senator confirm my understanding that the bill was reported unanimously by the Committee on Agriculture and Forestry and with no objection having been raised from this side of the aisle?

Mr. HUMPHREY. The Senator is correct. It is a unanimous report, a noncontroversial report.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 11027) was ordered to a third reading, was read the third time, and passed.

TARIFF CLASSIFICATION ACT OF 1962

Mr. HUMPHREY. Madam President, I move that the Senate proceed to the consideration of Calendar No. 1281, H.R. 10607.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10607) to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KUCHEL. Madam President, I have received from a constituent of mine a memorandum objecting to the passage of the bill. Based on the memorandum, I wrote a letter to the Chairman of the U.S. Tariff Commission, asking for his comments on the bill, particularly with respect to whether judicial review would be afforded under the proposed legislation in exactly the same fashion as it is afforded under existing law.

In his reply, the Chairman referred to language both in the Senate report and in the House report, which reads, in part:

This bill does not in any way detract from or remove any of the existing provisions of law concerning judicial review of executive or administrative action. The present judicial review procedures will continue in force before and after the new tariff schedules are made effective.

Simply for the purpose of the RECORD, since I interpose no objection to the bill, I ask unanimous consent that the text of my letter to Chairman Dorfman, his reply to me, and the memorandum of objection from one of my constituents, be printed at this point in the RECORD.

There being no objection, the letters and memorandum were ordered to be printed in the RECORD, as follows:

APRIL 6, 1962.

Honorable BEN D. DORFMAN,
Chairman, U.S. Tariff Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: Several of my constituents have expressed their concern regarding certain provisions of H.R. 10607, the Tariff Classification Act of 1962, which has passed the House of Representatives and is now pending on the Senate Calendar.

Their principal concern is that they believe the present procedures providing for judicial review of classification and rates will not apply to the new tariff schedules and merchandise imported after these new schedules have taken effect. I would be grateful for your comments on this matter. I believe judicial review should be afforded under the same conditions as presently exists. Judicial review of administrative determinations is an essential ingredient of American justice and should be preserved.

My constituents have also noted the following sentence which appears on page 4 of the report of the Senate Committee on Finance (S. Rept. No. 1317): "The only changes which can be made in the tariff schedules after the enactment of the bill, will be those which the Tariff Commission finds are required to be made by virtue of legislation, court decisions, or authoritative administrative decisions, all of which necessarily must be reflected in the new tariff schedules."

They would point out that authoritative administrative decisions are blanketed into the new tariff schedules as law without a final court determination having been made. I would be grateful for your comments on this point as well as on the three-page brief which they have sent me and which I enclose for your review.

With kindest regards,

Sincerely yours,

THOMAS H. KUCHEL,
U.S. Senator.

OBJECTIONS TO H.R. 10607 AS PASSED BY HOUSE OF REPRESENTATIVES

H.R. 10607 is an act to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions and for other purposes.

The bill was introduced in the House of Representatives on or about March 8 or 9, 1962. It was favorably reported by the House Committee on Ways and Means (H. Rept. No. 1415) on March 10, 1962, as reported in the CONGRESSIONAL RECORD of March 12, 1962. A resolution limiting debate to 3 hours and the right of amendment to members of the committee was adopted on March 13, 1962. The bill was briefly debated and passed by the House of Representatives on March 14, 1962, and was referred to the Senate Committee on Finance on March 15, 1962.

H.R. 10607 replaces H.R. 9189, which was introduced in the 1st session of the 87th Congress. No action was taken on that bill, to which objections were made by both importers and domestic interests.

H.R. 10607 provides for the adoption of the revised tariff schedules prepared by the U.S. Tariff Commission pursuant to authorization contained in the Customs Simplification Act of 1954. The purposes of the revision were, among others, to rearrange in more logical form and terminology the schedules of tariff classifications which set out the import duty rates applicable to imported merchandise, and to adapt the tariff classification schedules to changes which have occurred since 1930 in the character and importance of articles imported into the United States. The congressional directive to the Tariff Commission called for the revisions to be made without changing rates of duty other than those incidental rate changes deemed necessary by the Commission in accomplishing the objective sought.

In November of 1960, the Tariff Commission transmitted to the Congress the results of its study, in the form of a 10-volume report entitled "Tariff Classification Study—Proposed Revised Tariff Schedules of the United States." A supplemental report was submitted to the Congress by the Tariff Commission in January of 1962, incorporating certain changes in its original proposals necessary to reflect inadvertencies called to the Commission's attention during its re-examination, as well as certain changes made because of additional information supplied to the Tariff Commission after publication of its initial report.

It is noted that the report of the House Committee on Ways and Means indicates that the proposed schedules do involve some rate changes (H. Rept. No. 1415, p. 3). Aside from the fact that this would seem to warrant congressional review or consideration, there are other aspects of the bill which have serious implications, depriving importers of the right to judicial review of administrative decisions as to the rate and amount of customs duty payable on imported merchandise.

It is noted that the House Report No. 1415 states (at p. 5):

"This bill does not in any way detract from or remove any of the existing provisions of law concerning judicial review of executive or administrative action. The present judicial review procedures will continue in force before and after the new tariff schedules are made effective."

However, the saving clause of title II of H.R. 10607 set out in section 202(a) thereof does not appear to have the effect stated above, since it does not appear to preserve such rights with respect to merchandise entered (imported) after the effective date of the tariff schedules.

Section 202(a) of H.R. 10607 provides:

"SEC. 202. (a) This Act shall not divest the courts of their jurisdiction over a protest filed under section 514 of the Tariff Act of 1930, as amended (19 U.S.C. 1514), or by an American manufacturer, producer, or wholesaler under section 516(b) of such Act (19 U.S.C. 1516(b)), against a liquidation covering articles entered, or withdrawn from warehouse, for consumption before the effective

date of the Tariff Schedules of the United States."

Section 514 of the Tariff Act of 1930 provides for the filing of protests against decisions of customs administrative officers fixing rates of duty applicable to imported merchandise. Thousands of such protests are filed annually by persons engaged in importing, at all ports of the United States.

While section 202(a) of H.R. 10607 specifically preserves the right to judicial review as to merchandise entered (imported) before the effective date of the tariff schedules proposed by the Tariff Commission, no such provision is made with respect to judicial review of assessments on merchandise imported after the adoption of such revised tariff schedules.

The bill accordingly warrants further study to insure that it does not deprive a substantial segment of our citizens of the right to judicial review of administrative decisions as to the rate and amount of customs duties chargeable on imported merchandise, a fundamental principle of our American way of life.

It is suggested that language such as was used by Congress in the Tariff Act of 1930 in the saving clause would be more appropriate:

"Nothing herein shall be construed to limit or restrict the jurisdiction of the United States Customs Court or the United States Court of Customs and Patent Appeals."

APRIL 9, 1962.

The Honorable THOMAS H. KUCHEL,
U.S. Senate.

DEAR SENATOR KUCHEL: I have your letter of April 6, 1962, regarding concern expressed by several of your constituents in connection with H.R. 10607, the Tariff Classification Act of 1962, which has passed the House of Representatives and is now pending on the Senate Calendar.

As you state, their principal concern is the belief that the present procedures providing for judicial review of classification and rates will not apply to the new tariff schedules and to merchandise imported after the new schedules have taken effect. I wish to allay the fears of your constituents on this point. Report No. 1317 of the Senate Finance Committee and Report No. 1415 of the House Ways and Means Committee both clearly state (p. 5) that—

"This bill does not in any way detract from or remove any of the existing provisions of law concerning judicial review of executive or administrative action. The present judicial review procedures will continue in force before and after the new tariff schedules are made effective."

Section 101(a) of the bill provides for the substitution of the new tariff schedules for the existing schedules of the Tariff Act of 1930, as amended. Thus, being bodily incorporated into the existing Tariff Act, the administrative and special provisions of such act, including sections 514, 515, 516, and other provisions relating to the jurisdiction of the customs courts to review administrative determinations of customs officers, will perforce continue unabated with respect to issues arising after the new schedules have taken effect. No saving provision is needed for the reason that no provision in the bill specifically or impliedly divests the court of any of its existing jurisdiction.

In actuality, the jurisdiction of the court is extended rather than curtailed. As stated in Report No. 1317 of the Senate Finance Committee (p. 9), section 202(b) of the bill prevents domestic manufacturers' protests which may be pending before the courts under section 516(b), Tariff Act of 1930, from becoming moot at the time the tariff schedules go into effect.

Public Law 87-446
87th Congress, H. R. 11027
April 27, 1962



An Act

76 STAT. 64.

To amend the Agricultural Adjustment Act of 1938, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344 (n) Cotton.
of the Agricultural Adjustment Act of 1938, as amended, is amended 72 Stat. 186;
(1) by striking out the figures "1961" where they first appear therein 75 Stat. 84.
and inserting the figures "1962". 7 USC 1344.

Approved April 27, 1962.

